

Hearing Date: January 18, 2023

Opposition Date: October 18, 2022

Reply Date: December 2, 2022

LATHAM & WATKINS LLP

Christopher R. Harris

Thomas J. Giblin

1271 Avenue of the Americas

New York, New York 10020

Telephone: (212) 906-1200

Facsimile: (212) 751-4864

Attorneys for ABN Ireland

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,
Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and the Chapter
7 Estate of Bernard L. Madoff,

Plaintiff,

v.

ABN AMRO BANK (IRELAND), LTD, (f/k/a
FORTIS PRIME FUND SOLUTIONS BANK
(IRELAND) LIMITED) and

ABN AMRO CUSTODIAL SERVICES
(IRELAND), LTD (f/k/a FORTIS PRIME FUND
SOLUTIONS CUSTODIAL SERVICES
(IRELAND) LTD.),

Defendants.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-05355 (CGM)

NOTICE OF HEARING ON MOTION TO DISMISS

PLEASE TAKE NOTICE, that on August 19, 2022, Defendants ABN AMRO Bank (Ireland) Ltd. (f/k/a Fortis Prime Fund Solutions Bank (Ireland) Ltd.) (n/k/a ABN AMRO Retained Custodial Services (Ireland) Limited) and ABN AMRO Custodial Services (Ireland) Ltd. (f/k/a Fortis Prime Fund Solutions Custodial Services (Ireland) Ltd.) (together, “ABN Ireland”) filed a Motion to Dismiss (the “Motion”) the Second Amended Complaint of Irving H. Picard, Trustee for the liquidation of Bernard L. Madoff Investment Securities LLC, and the substantively consolidated estate of Bernard L. Madoff, individually, under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–lll, Dkt. No. 205, with prejudice, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure as made applicable to this adversary proceeding by Federal Rule of Bankruptcy Procedure 7012.

PLEASE TAKE FURTHER NOTICE that a hearing to consider the Motion will be held on Wednesday, January 18, 2023 at 10:00 A.M.

Dated: August 19, 2022
New York, New York

Respectfully submitted,

LATHAM & WATKINS LLP

By: /s/ Christopher R. Harris
Christopher R. Harris
Thomas J. Giblin
1271 Avenue of the Americas
New York, New York 10020
Telephone: (212) 906-1200
Facsimile: (212) 751-4864
Email: christopher.harris@lw.com
Email: thomas.giblin@lw.com

Attorneys for ABN Ireland